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October 28, 2022

Via ECF & Facsimile (212-805-7941)

Hon. Alvin K. Hellerstein
United States District Judge
Southern District of New York
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street
New York, New York 10007

Re: *Belen, et al. v. Herman, et al.*
Case No. 22-cv-6455 (AKH) (GWG)

Dear Judge Hellerstein:

This firm represents the plaintiffs in the above-captioned action. We respectfully submit this joint request, pursuant to Rule 1(D) of Your Honor's Individual Rules and Practices, for a modification of the briefing schedule so-ordered by the Court on October 4, 2022 (the "Scheduling Order") [Doc No. 21].

On October 21, 2022, pursuant to the Scheduling Order, defendants Julian M. Herman, The Vanguard Group, Inc., Oakworth Capital Bank, Dentons Sirote, PC, and Howard Neiswender (collectively, the "Movants") filed four (4) motions to dismiss the First Amended Complaint (the "Motions").¹ Plaintiffs' papers in opposition to the four motions are currently due to be filed no later than November 22, 2022, with Movants' replies to be filed no later than December 13, 2022.

Given the breadth of issues presented in the Motions, Plaintiffs believe that they will require an additional three (3) weeks to file opposition papers. The Movants have consented to Plaintiffs' request to extend their deadline to December 13, 2022, and we have consented to

¹ Plaintiffs previously agreed to extend Defendant Dentons US LLP's time to answer or move with respect to the Amended Complaint *sine die*, pending certain discovery, subject to Plaintiffs' right to demand an answer on 45 days' notice. Rocla LLC and Roclab LLC have not appeared in the action.



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Movants' request to, in turn, extend their time to file their reply papers to January 20, 2023. Accordingly, we respectfully request that the Court so-order the foregoing modified schedule.

We appreciate the Court's consideration of this request.

Respectfully Submitted,

/s/ Gayle Gerson

Gayle S. Gerson

cc: All counsel of record (via NYSCEF)